MEMORANDUM FOR THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Background and Policy.

Diverse and inclusive communities, opportunities for all throughout the United States. This goal is consistent with the Fair Housing Act, which imposes on Federal departments and agencies the duty to “administer their programs and activities relating to fair housing and urban development . . . in a manner affirmative to further fair housing.” The Secretary shall also, as soon as practicable, take all appropriate action to conform with HUD’s Implementation of the Fair Housing Act’s Disparate Impact Standard, codified at parts 5, 91, and 92, 570, 574, 576, and 903 of title 24, Code of Federal Regulations, including by preventing practices with an unjustified disparate effect.

Section 2. Preventing Discrimination.

(a) The Secretary shall ensure that HUD administers its programs and activities relating to fair housing and urban development in a manner that is consistent with the Fair Housing Act’s Discriminatory Effect Standard, codified at 42 U.S.C. 3604(f), and the Fair Housing Act’s Disparate Impact Standard, codified at 42 U.S.C. 3604(k).

(b) The Secretary shall also ensure that HUD’s regulations and programs are consistent with the Fair Housing Act’s Discriminatory Effect Standard, codified at 42 U.S.C. 3604(f), and the Fair Housing Act’s Disparate Impact Standard, codified at 42 U.S.C. 3604(k).

(c) The Secretary shall ensure that HUD’s regulations and programs are consistent with the Fair Housing Act’s Discriminatory Effect Standard, codified at 42 U.S.C. 3604(f), and the Fair Housing Act’s Disparate Impact Standard, codified at 42 U.S.C. 3604(k).

(d) The Secretary shall ensure that HUD’s regulations and programs are consistent with the Fair Housing Act’s Discriminatory Effect Standard, codified at 42 U.S.C. 3604(f), and the Fair Housing Act’s Disparate Impact Standard, codified at 42 U.S.C. 3604(k).

Sec. 3. General Provisions.

(a) Nothing in this memorandum shall be construed to impair or otherwise affect: (i) the authority granted by law to an executive department or agency, or the head thereof; or (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law relating to budgetary, administrative, or legislative proposals.

(c) This memorandum is not intended to, and does not, create any right or obligation, substantive or procedural, with respect to any person or governmental entity, whether general or specific.

Dated at Washington, DC, this 26th day of January, 2021.

JOSEPH R. BIDEN JR.